

Judge: Timothy W. Dore  
Chapter: 13  
Hearing Date: January 4, 2023  
Hearing Time: 9:30 a.m.  
Hearing Location:  
U.S. Bankruptcy Court  
700 Stewart St #8106  
Seattle, WA 98101  
Response Date: December 28, 2022

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In re:  
BILLIE J HARRIS ,

Debtor.

IN CHAPTER 13 PROCEEDING  
No. 22-11028-TWD

RESPONSE TO CURTIS HARRIS'  
OBJECTION TO CLAIM OF  
DEUTSCHE BANK NATIONAL  
TRUST COMPANY

Jason Wilson-Aguilar, Chapter 13 Trustee, responds to Curtis Harris' Objection to Claim of Deutsche Bank National Trust Company (ECF No. 37):

Curtis Harris, the apparent co-debtor on the mortgage claim by Deutsche Bank National Trust Company objects to the claim (ECF Claim No. 3) and requests that the Court deny or reduce the claim. The Trustee responds to Mr. Harris' objection as follows:

- 1) It does not appear that Mr. Harris has served his objection. In any proceeding which is to be accorded finality, due process requires notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections. *Mullane v. Central Hanover Bank & Trust Co. et al.*, 339 U.S. 306, 314 (1950). Mr. Harris needs to serve his objection and notice of hearing with at least 30 days' notice of the date of the hearing. Federal Rule of Bankruptcy Procedure 3007(a)(1).
- 2) Mr. Harris' objection does not include a proposed form of order as required by Local Bankruptcy Rule of Procedure 9013-1(d)(1)(D). Mr. Harris needs to file a proposed form of order along with his objection.

RESPONSE TO CURTIS HARRIS'  
OBJECTION TO CLAIM OF DEUTSCHE  
BANK NATIONAL TRUST COMPANY - 1

Chapter 13 Trustee  
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1 3) As Mr. Harris' objection does not include a proposed form of order it is unclear what  
2 relief he will ultimately request. To the extent that he requests that all or part of the claim  
3 is disallowed, the proposed form of order should state that: "This order does not require  
4 the Trustee to recover any funds that may have been disbursed prior to the entry of this  
5 order."

6 The Trustee reserves the right to assert additional bases for his objection.

7 WHEREFORE, the Chapter 13 Trustee requests that the Court overrule Curtis Harris'  
8 Objection to Claim of Deutsche Bank National Trust Company.

9  
10 Dated this 28th day of December, 2022

11 /s/ Kristin D. Bowen, WSBA #46688 for  
12 JASON WILSON-AGUILAR  
13 Chapter 13 Trustee  
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